

AMENDMENTS TO THE CLAIMS

1-8. (canceled)

9. (currently amended) A method for providing a file, wherein is stored information according to which said file is locally stored when said file is received from a remote server, said method comprising the following steps:

receiving a request for said file, said request comprising said remote server identification, checking that said file is locally stored,

forwarding said file to said remote server when said file has been locally modified, and

deleting ~~[[the]]~~ said file and information according to which said file is locally stored after said file has been modified and forwarded.

10. (previously presented) The method according to Claim 9 further comprising a step for sending said information to said remote server when said file has not been locally modified.

11. (previously presented) A server comprising means for carrying out the steps of the method according to Claim 9.

12. (previously presented) The system according to Claim 11, further comprising means for carrying out the steps of Claim 10.

Claim Rejections -- 35 U.S.C. §103

In section 3 of the present Office Action, Claims 9-12 have been rejected under 35 U.S.C. §103(a) as being unpatentable over *Logue, et al.* (U.S. Patent No. 5,935,207) in view of *Shannon* (U.S. Patent No. 5,582,713). That rejection is respectfully traversed and reconsideration of the Claims is requested.

As recited in exemplary Claim 9 in the present application, the method includes the steps of, *inter alia*:

"forwarding said file to said remote server when said file has been locally modified, and deleting said file and information according to which said file is locally stored after said file has been modified and forwarded"

It is argued on page 3 of the present Office Action that *Shannon* discloses these steps of the present invention, and that taken in combination with the teaching of *Logue*, renders the present invention obvious. While *Shannon* does teach forwarding a file to a remote server when the file has been locally modified, *Shannon* nowhere teaches that the client computer 12 deletes the file and the information according to which the file had been stored when the file had been locally modified. Instead, *Shannon* is clearly teaching a computer data file backup system for generating an image of the client's hard drive and nowhere contemplates deleting a modified file from the client or the backup server.

As explained at col. 3, ll. 7-17, *Shannon* teaches copying a client computer logical disk image, including the logical disk map, from the client computer disk to the disk of the server computer. As explained at col. 3, ll. 27-34, modified files on the local client computer disk are transmitted to a disk data cache on the server computer disk over the connection. Then, the data files are transferred from the disk data cache on the server disk to the server logical disk image and "the files identified as removed from the client disk are removed from the server logical disk image." As can be seen, the only files deleted from the disk image on the server are those files that had been deleted on the client computer. As explained at col. 4, ll. 59-62, client computer 12 creates a list of modified and removed files. As explained at col. 5, ll. 46-50, any file and disk map that is not on the new disk map is deleted from the client computer and the list of

deleted files is transmitted to the server computer for removal of the designated files on the server computer logical disk image of the client computer.

In contrast, the present invention provides a system for temporarily transferring data files to a remote server and then back to its home server. As will be appreciated, it would be illogical and thus is not suggested by *Shannon* to transmit a modified file from the client to the server and simultaneously delete the file from the client computer and the server computer. The client computer in only transmitting necessary data to provide a disk image on the remote server. *Shannon* teaches transmitting only files for update and the list of deleted files to the server (col. 5, ll. 50-55). An updated file would not be deleted and a subsequently deleted file would merely be listed in the list of files to delete and not first forwarded to the server (see col. 5, ll. 11-13). Therefore, *Logue* in view of *Shannon* cannot show or suggest "*forwarding said file to said remote server when said file has been locally modified, and deleting said file and information according to which said file is locally stored after said file has been modified and forwarded*"

Consequently, Applicants respectfully submit that *Logue* in view of *Shannon* cannot show or suggest the present invention as claimed in independent Claim 9 for the reasons given above. For the same reasons as given above, Applicants further submit that *Logue* in view of *Shannon* cannot show or suggest Claims 10, 11 or 12 for the same reasons and that the rejections of those claims should also be reconsidered.

Respectfully submitted,



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